

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

LYNN BARTON, On Behalf of Herself and all )  
Others Similarly Situated, )  
 )  
Plaintiff, )

No. 08-cv-1341 JSW  
No. 08-cv-1374 JSW  
No. 08-cv-1928 MEJ  
No. 08-cv-3391 JSW

v. )

**[PROPOSED] ORDER GRANTING  
UNOPPOSED MOTION TO  
CONSOLIDATE RELATED  
ACTIONS FOR ALL PURPOSES**

FIDELITY NATIONAL FINANCIAL, INC., )  
FIDELITY NATIONAL TITLE INSURANCE )  
COMPANY, TICOR TITLE INSURANCE )  
COMPANY, TICOR TITLE INSURANCE )  
COMPANY OF FLORIDA, CHICAGO TITLE )  
INSURANCE COMPANY, NATIONAL TITLE )  
INSURANCE OF NEW YORK, INC., )  
SECURITY UNION TITLE INSURANCE )  
COMPANY, THE FIRST AMERICAN )  
CORPORATION, FIRST AMERICAN TITLE )  
INSURANCE COMPANY, UNITED )  
GENERAL TITLE INSURANCE COMPANY, )  
LANDAMERICA FINANCIAL GROUP, INC., )  
COMMONWEALTH LAND TITLE )  
INSURANCE COMPANY, LAWYERS TITLE )  
INSURANCE CORPORATION, )  
TRANSNATION TITLE INSURANCE )  
COMPANY, STEWART TITLE GUARANTY )  
COMPANY and STEWART TITLE )  
INSURANCE COMPANY, )

Defendants. )

ACTION FILED: March 10, 2008

The Court, having considered the papers filed in support of the motion by the parties in the above-captioned cases to consolidate these actions, and, for good cause shown, hereby enters the following Order:

1. Pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, the following related actions are to be consolidated for all purposes, including, but not limited to, discovery and all pretrial and trial proceedings:

ABBREVIATED CASE NAME	CASE NO.	DATE FILED
<i>Barton v. Fidelity National Financial, Inc. et al.</i>	08-1341-JSW	03/10/08
<i>Gentilcore v. Fidelity National Financial, Inc. et al.</i>	08-1374-JSW	03/11/08
<i>Blackwell v. Fidelity National Financial, Inc. et al.</i>	08-1928-MEJ	4/11/08
<i>Romero v. Fidelity National Financial, Inc. et al.</i>	08-3391-JSW	7/14/08

2. A Master Docket and a Master File are hereby established for the consolidated actions.

3. The following actions, now pending in other districts within California shall be consolidated for all purposes, including, but not limited to, discovery and all pretrial and trial proceedings, upon the transfer of such cases to this District:

ABBREVIATED CASE NAME	CASE NO.	DATE FILED
<i>Martinez v. Fidelity National Financial, Inc. et al.</i>	08-0499-MJL (S.D. Cal.)	03/18/08
<i>Davis v. Fidelity National Financial, Inc. et al.</i>	08-1897-DSF (C.D. Cal.)	03/20/08
<i>Kothari v. Fidelity National Financial, Inc. et al.</i>	08-0440-DSF (C.D. Cal.)	4/23/08
<i>Magana v. Fidelity National Financial, Inc. et al.</i>	08-0591-DSF (C.D. Cal.)	5/28/08
<i>Moynahan v. Fidelity National Financial, Inc. et al.</i>	08-0620-AHS (C.D. Cal.)	6/04/08

4. The consolidated actions shall be identified as *In re California Title Insurance Antitrust Litigation*, Civil Action No. 08-CV-1341-JSW. Any other actions now pending or later filed in or transferred into this District that arise out of the same facts and claims alleged in the related actions shall be consolidated for all purposes, if and when they are brought to the Court's attention.

5. Every pleading filed in these consolidated actions, or in any separate action included herein, shall bear the following caption:

In re CALIFORNIA TITLE INSURANCE ANTITRUST LITIGATION	File No: 08-CV-1341-JSW
THIS DOCUMENT RELATES TO:	<u>CLASS ACTION</u>

6. When a pleading is intended to be applicable to all actions governed by this Order, the words "All Actions" shall appear immediately after the words "This Document Relates To:" in the caption set out above.

7. When a pleading is intended to be applicable only to some, but not all, of the consolidated actions, the Court's docket number for each individual action to which the pleading is intended to be applicable and the last name of the first-named plaintiff in the action shall appear immediately after the words "This Document Relates To:" in the caption set out above.

8. When a document is filed and the caption shows that it is to be applicable to less than all of the consolidated actions, the clerk shall file the document in the Master File, and shall note the filing in both the Master Docket and the docket of each applicable action.

9. When a case related to the subject matter of the consolidated actions is filed in this Court or transferred to this Court from another court, the clerk of this Court shall:

- a. Place a copy of this Order in the separate file for such action, after notification to counsel, who shall mail to the attorneys for the plaintiffs in the newly-filed or transferred case a copy of this Order and direct that this

Order be served upon or mailed to any new defendants in the newly-filed or transferred case; and

- b. Make an appropriate entry on the Master Docket. This Court requests the assistance of counsel in calling the attention of the clerk of this Court to the filing or transfer of any new case which may properly be consolidated as part of *In re California Title Insurance Antitrust Litigation*.

10. California Plaintiffs shall file a Consolidated Complaint within thirty (30) days of the later of appointment of Interim Class Counsel or receipt in this District of the last case set forth as related in this litigation. Defendants' answer or other responsive pleadings are due forty-five (45) days following the filing of the Consolidated Complaint. The deadline set forth in this Court's Initial Scheduling Order for the Rule 26(f) conference is extended until ten (10) days following the filing of Defendants' Answers, or in the event Defendants file motions to dismiss, 10 days after the Court's ruling on those motions, with corresponding extensions of the additional deadlines set forth in the Initial Scheduling Order.

ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
The Honorable Jeffrey S. White  
United States District Court Judge

DATE: July 23, 2008

Submitted by:

HAGENS BERMAN SOBOL SHAPIRO LLP

By /s/ Reed R. Kathrein  
REED R. KATHREIN

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Attorneys for Plaintiffs Barton and Gentilcore

**CERTIFICATE OF SERVICE**

I hereby certify that on July 23, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses registered, as denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

/s/ Reed R. Kathrein  
REED R. KATHREIN

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## Mailing Information for a Case 3:08-cv-01341-JSW

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Steve W. Berman**  
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### Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)

## Mailing Information for a Case 3:08-cv-01374-JSW

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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- (No manual recipients)

## Mailing Information for a Case 3:08-cv-01928-MEJ

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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- (No manual recipients)



## Mailing Information for a Case 3:08-cv-03391-JSW

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Daniel C. Girard**  
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